IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

LONESTAR INVENTIONS, L.P. Plaintiff,	§ § §	
v.	§	CIVIL ACTION NO. ______
ADVANCED MICRO DEVICES, INC., Defendant.	§ § §	JURY TRIAL DEMANDED

COMPLAINT AND APPLICATION FOR PERMANENT INJUNCTION

Plaintiff Lonestar Inventions, L.P. ("Lonestar") brings this action against Defendants Advanced Micro Devices, Inc. ("AMD") and alleges:

PARTIES

1. Plaintiff Lonestar is a Texas limited partnership.

2. Defendant AMD is a Delaware corporation that is authorized to do business in Texas, and does business in Texas. AMD may be served by serving its registered agent for service of process, CT Corporation System, 350 North St. Paul St., Dallas, Texas 75201.

JURISDICTION

3. This action arises under the patent laws of the United States, Title 35 United States Code. Jurisdiction is proper under 28 U.S.C. § 1338.

4. AMD does business in this State and District and has sufficient contacts to subject it to the personal jurisdiction of this Court for this patent infringement action.

VENUE

5. Venue is proper in this Court under 28 U.S.C. § 1400(b) because AMD resides in this District within the meaning of 28 U.S.C. § 1391(c). In addition, venue is proper in this

Court under 28 U.S.C. §§ 1391(b)-(c) because AMD (i) resides in this District and (ii) a substantial part of the events or omissions giving rise to the claims against AMD occurred in this District.

BACKGROUND

6. This is an action for infringement of United States Patent No. 5,208,725 ("the '725 Patent"), entitled "High Capacitance Structure in a Semiconductor Device."

7. On May 4, 1993, the '725 Patent was duly and legally issued by the United States Patent and Trademark Office to Osman E. Akcasu, the inventor. Mr. Akcasu subsequently assigned the '725 Patent, together with all rights to sue for past infringement, to Lonestar. Lonestar is the lawful owner of the '725 Patent. A true and correct copy of the '725 Patent is attached as Exhibit "A."

8. AMD has been for some time past and is currently infringing the '725 Patent and inducing others to infringe the '725 Patent within this District and elsewhere in this country by making, selling, offering for sale and using semiconductor devices embodying the patented invention, and inducing others to do so, and will continue to do so unless enjoined by this Court. Although Lonestar does not know the full extent of AMD's infringement and inducement, Lonestar is aware that AMD has made, had made, imported into this country, offered to sell, sold, and or induced others to make, have made, import, sell or offer to sell in this country, at least the following products: (1) the Nintendo Wii, containing chip-sets designed by AMD or its predecessors in interest; and (2) graphics cards containing the ATI 215-0669049 graphics processor, including without limitation, the Radeon HD 4870 graphics card.

9. AMD has been given written notice that AMD is infringing the '725 Patent. AMD has failed and refused to cease infringing the Patent. AMD's infringement of the '725 Patent is willful and deliberate.

CAUSES OF ACTION

A. Patent Infringement Under 35 U.S.C. § 271(a)

10. AMD has, in this country, made, used, offered for sale and sold the patented invention claimed in the '725 Patent, in violation of 35 U.S.C. § 271(a).

B. Actively Inducing Patent Infringement Under 35 U.S.C. § 271(b)

11. AMD has, in this country, actively induced others to make, use, import and/or sell the patented invention claimed in the '725 Patent, in violation of 35 U.S.C. § 271(b).

RELIEF

12. Plaintiff respectfully requests the following relief:

a. that the Court enter a permanent injunction against AMD and all others in active concert with them, prohibiting them from (i) directly infringing the '725 Patent, and/or (ii) inducing infringement of the '725 Patent by others;

b. that the Court award damages to Lonestar against AMD;

c. that the Court treble the damages for willful infringement pursuant to 35 U.S.C. § 284;

d. that the Court award interest on such damages;

e. that the Court award Lonestar costs and attorney's fees incurred in this action pursuant to 35 U.S.C. § 285; and

f. that the Court award such other relief as the Court deems just and proper.

DEMAND FOR A JURY TRIAL

23. Lonestar hereby demands a trial by jury as to all issues triable by a jury.

Respectfully submitted,

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